

REMARKS

The amendments set out above and the following remarks are believed responsive to the points raised by the Office Action dated June 1, 2004. In view of the amendments set out above and the following remarks, reconsideration is respectfully requested.

The Pending Claims

Claims 1-15 remain pending.

Claim 1 has been amended to describe the invention more clearly. No new matter has been added, the basis for the amended claim language may be found within the original specification, claims and drawings.

Claim 1 is supported at, for example, page 9, line 19, through page 10, line 20, and page 11, lines 1-7. Entry of the above is respectfully requested.

Allowable Subject Matter

Applicant is pleased to note the Office Action indicates claim 15 is allowed and claim 13 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims, and to overcome the rejection under Section 112.

The Office Action

For convenience, the following remarks will address the rejections in the same order they were raised in the Office Action.

Claims 1-14 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. According to the Office Action, it is not clear what is meant in claim 1 by "wherein the second lever is resiliently stronger than the first lever."

Claim 1 has been amended to improve the form of the claim and more distinctly claim the subject matter which Applicant regards as his invention. The phrase "wherein the second lever is resiliently stronger than the first lever" has been deleted from the claim.

Thus, it is respectfully submitted that with these remarks and amendment to the claim, the rejection under 35 U.S.C. §112 has now been overcome and should be withdrawn.

Claims 1-12, and 14 were rejected under 35 U.S.C. §102 as anticipated by U.S. Patent No. 3,670,121 to Howe (hereinafter referred to as "Howe").

Claims 1-6, 9, and 14 were rejected under 35 U.S.C. §102 as anticipated by U.S. Patent No. 6,005,210 to Chien (hereinafter referred to as "Chien").

Each of these rejections is separately and respectfully traversed.

According to the Office Action, Howe discloses an electrical switch including a contact assembly comprising at least one pair of pivotable levers **6** and **9**, and **7**, and Chien discloses an electrical switch including a contact assembly comprising at least one pair of pivotable levers including first lever **43**.

There is no disclosure in either of these references of an electrical switch comprising a contact assembly comprising a first lever and a second lever wherein the contact assembly comprises at least one pair of distinct pivotable levers each having a pivoted end portion about which the lever is pivoted and a free end portion, with a first lever arranged to make or break contact by its free end portion with the fixed contact and a second lever pivotable by the actuator to in turn press by its free end portion upon the free end portion of the first lever thereby pivoting the first lever into contact with the fixed contact, as defined in amended claim 1.

Furthermore, in contrast with the present invention, wherein the second lever reinforces the first lever to achieve an improved contact pressure with the second fixed contact (*see, for example*, page 9, line 19, through page 10, line 20, and page 11, lines 1-7, *see also*, Figures 3A and 3B), there is no disclosure or suggestion of such reinforcement in either Howe or Chien.

Howe and Chien disclose contact levers bent into U-shapes lying on one side, having upper and lower limbs (Howe discloses a leaf spring including an arm **6**, an arm **7**, and a contact **9**, and Chien discloses a single curved sheet **43**, bent to form an engaging and controlling groove **433** and provided with a tailing end with a small boss **434**), and the Office Action interprets the upper and lower limbs as first and second levers. In view of the operation of the switches described in Howe (*see, for example*, Figures 6 and 7) and Chien (*see, for example*, Figures 4 and 11), the contact lever is pivotably supported on a first fixed contact about its lower limb for its free end to make and break contact with a second fixed contact, while its upper limb is acted upon by a switch to in turn pivot the lower limb. The upper and lower limbs of the contact lever in each of Howe and Chien will never meet again at a second position, i.e., the free end of the upper limb will not press down upon the free end (or end portion) of the lower limb for reinforcing the lower limb to achieve an improved contact pressure with the second fixed contact.

Since there is no teaching in either Howe or Chien of an electrical switch comprising a contact assembly comprising a first lever and a second lever wherein the contact assembly comprises at least one pair of distinct pivotable levers each having a pivoted end portion about which the lever is pivoted and a free end portion, with a first lever arranged to make or break contact by its free end portion with the fixed contact and a second lever pivotable by the actuator to in turn press by its free end portion upon the free end portion of the first lever

In re Appln. of Yee Tak KWONG
Application No. 10/615,242

thereby pivoting the first lever into contact with the fixed contact, and since, in view of the operation of the switches described in Howe (*see, for example*, Figures 6 and 7) and Chien (*see, for example*, Figures 4 and 11), there is no suggestion of such a contact assembly, neither Howe nor Chien can anticipate or suggest the electrical switch claimed in claim 1 as amended, and thus, the rejection cannot be maintained.

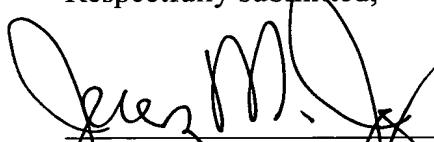
For the reasons set forth above, reconsideration of the rejections is respectfully requested.

Conclusion

In view of the amendment and remarks recited herein, the application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue.

If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



Jeremy M. Jay, Reg. No. 38,587
LEYDIG, VOIT & MAYER
700 Thirteenth Street, N.W., Suite 300
Washington, DC 20005-3960
(202) 737-6770 (telephone)
(202) 737-6776 (facsimile)

Date: 15 July 2004